



RECEIVED & INSPECTED

DEC 8 2004

FCC - MAILROOM

EX PARTE OR LATE FILED

APCC
Member

Chairman Michael Powell
Federal Communications Commission
The Portals
445 12th Street, S.W., TW-A325
Washington, DC 20554

December 6, 2004

ORIGINAL**RE: Access to Unbundled Network Elements, WC Docket No. 03-225**

Dear Chairman Powell:


There is a critical revision pending on the Unbundled Network Element (UNE) rules. When taking action on this revision, I urge/plead with you to ensure that pay phone companies like mine continue to have competitive options when it comes to their local service needs. Costs play a major part in determining whether or not we can continue to provide pay phone service at certain locations.

Your Commission has long recognized the important role pay phones (Public Communication Instruments) have played in emergencies, and disasters such as 9/11. There are still millions of people who rely on pay phones as their only source of communication. For this reason, Congress passed the Telecommunications Act in an effort to maintain a wide availability of service.

Reliable local service at a reasonable cost is essential for my company and allows me to continue to provide pay phone service. My single largest monthly operating expense is my local phone bill. The availability of competitive telephone companies providing local service enhances our ability to provide quality service and keep our costs in check. Without local service options like UNE-P, there aren't any checks and balances on what the incumbent telephone company may charge us.

Since our pay phones do not transmit data and do not require broadband channels, we don't have a need for broadband facilities. They simply do not provide a viable competitive alternative for our pay phones. UNE-P has been the only effective competitive alternative. Our company has taken many pay phones out of service over the last few years simply because the revenue generated from the phone did not cover the operating costs.

I can only envision having to remove additional phones, thereby leaving the American public with fewer communication options they need and rely on. I strongly urge you to ensure that the FCC's revised UNE rules retain competitive local service alternatives for pay phones. Thank you for your consideration and the work you have done in the past to help keep our industry a viable one.

Sincerely,

Gregg Waldhauser
President

No. of Copies rec'd
List ABCDE

UNE-Powell